IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

MONDAY, THE 11TH DECEMBER 2006 / 20TH AGRAHAYANA 1928

ESA.No. 2 of 1999(G)

AS.214/1996 of ADDL.DISTRICT COURT, KOZHIKODE
OS.314/1961 of PRL.M.C.,KOZHIKODE-II

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APPELLANT/APPELLANT/SUPPL.9TH RESPONDENT:

K.MOHAMAD, AGED 61 YEARS, S/O.KUNHIMARAKKAR,
KUNNATH HOUSE, PANNIANKARA, KOZHIKODE.

BY ADV. SRI.K.P.BALASUBRAMANYAN
SRI.M.RAJAN

RESPONDENTS:

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1. K.P.JACOB, 63 YEARS, S/O.POULOSE VYDYAR
KASABA VILLAGE, KOZHIKODE.

2. PALOTT MUTHAMANTAKATH SUHARABI
D/O.IBRAHIMKUTTY, AGED 73, KASABA VILLAGE,
KOZHIKODE.

3. BROTHER MUHAMMED, AGED 71,
DO. DO.

4. SISTER KATHEESABI, AGED 69,
DO. DO.

5. SISTER JAINABI, AGED 66,
DO. DO.

6. ARIKKANADATH PACHUKUTTY (AGE AND
FATHER'S NAME NOT KNOWN)
DO. DO.

7. PATTOTH VEERAN,
DO. DO.

8. CHEMBADAPPIL KARUNAKARAN,
DO. DO.

9. POOLATHODI SAMI,
DO. DO.

(RESPONDENTS 2 TO 9 ARE STRCUK OFF FROM PARTY ARRAY S PER ORDER DT.29.1.03 IN C.M.P.NO.151/03)

R1 BY ADV. SRI.V.V.ASOKAN
SMT.S.AMINA

THIS EXECUTION SECOND APPEAL HAVING BEEN FINALLY HEARD ON 11/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN, J

E.S.A.No.2 OF 1999
& I.A.No.2717 of 2006

Dated this the 11th day of December, 2006

JUDGMENT

Perused the compromise petition and the compromise is recorded. The order in E.P.203/85 in O.S.314/61 of the Munsiff court, Kozhikode and the decree and judgment in A.S.214/96 of District Court, Kozhikode are set aside and a decree is passed in terms of the compromise.

THOTTATHIL B.RADHAKRISHNAN
Judge

kkb.

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THOTTATHIL B. RADHAKRISHNAN, J

E.S.A.NO.2 OF 1999

JUDGMENT

11TH DECEMBER, 2006.

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